

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:08CR3174
)	
V.)	
)	
ILDEFONSO MONTOYA-VASQUEZ,)	MEMORANDUM
)	AND ORDER
Defendant.)	

I conferred with counsel today and they both agreed that good faith plea negotiations had run into a snag. Accordingly, the case must be progressed with trial in mind. However, the defendant wishes to file a motion to suppress certain statements and the government objects. Under the circumstances, the interests of justice would be served by allowing the defendant to file the motion and the defendant concedes that the extra time must be excludable. Therefore,

IT IS ORDERED that:

(1) The defendant shall have until September 21, 2009, to file a motion with supporting brief seeking the suppression of statements.

(2) The time between today's date and the resolution of the motion to suppress is excluded for purposes of computing the limits under the Speedy Trial Act. *See* 18 U.S.C. § 3161.

(3) My chambers shall call this matter to my attention when the motion to suppress is resolved or on September 22, 2009 if no motion to suppress is filed, so that I may set this matter for trial.

DATED this 21st day of August, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge